

Edward W. Floyd, Esq.
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Attorneys for Plaintiff

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BRITISH MARINE PLC,

Plaintiff,

-against-

AAVANTI SHIPPING & CHARTERING LTD.,
ANIK INDUSTRIES, LTD. f/k/a MADHYA
PRADESH GLYCHEM INDUSTRIES LTD.,
and RUCHI SOYA INDUSTRIES LTD.

Defendants.

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Civil No.:

**DECLARATION IN SUPPORT OF
PRAYER FOR MARITIME
ATTACHMENT UNDER RULE B OF
THE SUPPLEMENTAL RULES FOR
ADMIRALTY OR MARITIME
CLAIMS**

DECLARATION

Edward W. Floyd, pursuant to the provisions of 28 U.S.C. § 1746, declares and states as follows:

1. I am an attorney admitted to practice before this Court and am a partner with the firm of Eaton & Van Winkle LLP, attorneys for Plaintiff, and I am familiar with the facts of this matter.

Efforts to Find the Defendants in New Jersey for Purposes of Rule B

2. To the best of my information and belief, the Defendants cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Admiralty or Maritime Claims.

4. I caused a search to be made for the Defendants by going to the State of New Jersey, Division of Revenue and Enterprise Services, Business Records Service's online database and searching therein for each Defendant. This database contained no record of the Defendants having a jurisdictional presence in New Jersey.

5. I also searched the online white pages for each of the Defendants and did not find a listing for any of the Defendants.

6. I am also unaware of any general or managing agents within this District for Defendants.

7. For the foregoing reasons, I submit that the Defendants cannot be found in this District within the meaning of Rule B of the Supplemental Rules for Admiralty or Maritime Claims.

Appointment of Persons to Serve Process of Maritime Attachment and Garnishment

8. I also make this Declaration in support of Plaintiff's application, pursuant to the provisions of Rule 4(c) of the Federal Rules of Civil Procedure and the provisions of Rule B(1)(d)(ii) of the Supplemental Rules for Admiralty or Maritime Claims, for an Order appointing Edward W. Floyd or any other partner, associate, paralegal or agent of Eaton & Van Winkle LLP (including professional process servers engaged by Plaintiff's counsel), in addition to the United States Marshal, to serve Process of Maritime Attachment and Garnishment on the garnishees listed in the Process, together with other possible garnishees.

9. The partners, associates, paralegals or agents of Eaton & Van Winkle LLP (including professional process servers engaged by Plaintiff's counsel), who will be designated, are over 18 years of age, and are not a party to this action.

10. Plaintiff desires to serve the Process of Maritime Attachment and Garnishment on

the garnishees promptly so that Plaintiff will be fully protected against the possibility of not being able to satisfy any arbitral award and/or judgment that may be obtained by Plaintiff against Defendants.

11. Plaintiff respectfully requests, for the foregoing reasons, that the Court appoint Edward W. Floyd or any partner, associate, paralegal or agent of Eaton & Van Winkle LLP to serve the Process of Maritime Attachment and Garnishment upon the garnishees listed in the Process, together with any other garnishees that Plaintiff learns may hold assets of Defendants.

12. No previous application for this or similar relief has been made in this Court. It is noted for thoroughness though that Plaintiff has commenced a similar Rule B proceeding in the United States District Court for the Southern District of New York, under Docket Number 12-cv-8645 (AJN) (the "New York Proceedings"). Additionally, in the New York Proceedings, the court authorized issuance of process of maritime attachment and garnishment, and appointed persons to serve that process, on December 6, 2012.

13. In light of the foregoing, it is respectfully requested, on behalf of Plaintiff, that the Court execute the accompanying (Proposed Form of) Order for Issuance of Process of Maritime Attachment and Garnishment and Appointing Person to Serve Process.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 3, 2013

s/ Edward W. Floyd, Esq.
Edward W. Floyd, Esq.